

#### REDACTED - FOR PUBLIC INSPECTION

7852 Walker Drive, Suite 200 Greenbelt, Maryland 20770 phone: 301-459-7590, fax: 301-577-5575 internet: www.jsitel.com, e-mail: jsi @jsitel.com

October 11, 2013

#### **By Hand Delivery**

Marlene H. Dortch, Secretary Federal Communications Commission Office of the Secretary 445 12<sup>th</sup> Street, SW Washington, DC 20554

Re: WC Docket No. 10-90, WC Docket No. 11-42

2013 ETC Annual Report of Wes-Tex Telephone Cooperative

Study Area Code 442168

Dear Ms. Dortch:

On behalf of Wes-Tex Telephone Cooperative "Wes-Tex", JSI files the attached confidential and redacted versions of the FCC Form 481 ETC annual reporting information pursuant to sections 54.313 and 54.422 of the Commission's rules. Wes-Tex seeks confidential treatment under Protective Order for section 54.313(f)(2) financial information. The redacted version is also being filed this date via the FCC's Electronic Comment Filing System.

Please direct any questions regarding the filing to the undersigned.

Sincerely,

John Kuykendall JSI Vice President

301-459-7590

jkuykendall@jsitel.com

cc: Charles Tyler, Telecommunications Access Policy Division (two copies, confidential)

<sup>&</sup>lt;sup>1</sup> 47 C.F.R. §§ 54.313, 54.422.

<sup>&</sup>lt;sup>2</sup> Connect America Fund et al., WC Docket No. 10-90 et al., Protective Order, DA 12-1857 rel. Nov. 16, 2012 (Protective Order). 47 C.F.R. § 54.313(f)(2).

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<010>	Study Area Code	442168	
<015>	Study Area Name	WES-TEX TEL CO-OP	
<020>	Program Year	2014	
<030>	Contact Name: Person USAC should contact with questions about this data	Darren Patrick	
<035>	Contact Telephone Number: Number of the person identified in data line <030:	(432) 756-3826 >	
<039>	Contact Email Address: Email of the person identified in data line <030>	dpatrick@westex.coop	
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<310>	Unfulfilled Service Requests (voice)  Detail on Attempts (voice)  Unfulfilled Service Requests (broadband)  Detail on Attempts (broadband)	(attach descriptive document) (attach descriptive document)	
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(100) Service Quality Improvement Reporting Data Collection Form	<010> Study Area Code	<015> Study Area Name <a><a><a><a><a><a><a><a><a><a><a><a><a>&lt;</a></a></a></a></a></a></a></a></a></a></a></a></a>	<020> Program Year	<030> Contact Name - Person USAC should contact regarding this data Darren Patrick	<035> Contact Telephone Number - Number of person identified in data line <030> (432) 756-3826	<039> Contact Email Address - Email Address of person identified in data line <030> @patrick@westex.coop	<110> Has your company received its ETC certification from the FCC? (y	If your answer to Line <110> is yes, do you have an existing \$54.202(a) "5 year plan" filed with the FCC?	if your answer to Line <111> is yes, then you are required to file a progress report, on line <112> delineating the status of your company's existing § 54.202(a) "5 year plan" on file with the FCC, as it relates to your provision of voice telephony service.  <112> Attach Five-Year Service Quality Improvement Plan or, in subsequent years, your annual progress report filed pursuant to 47 C.F.R. § 54.313(a)(1). If your company is a CETC which only receives frozen support, your progress report is only required to address voice telephony service.	Please check these boxes below to confirm that the attached PDF, on line 112, contains a progress report on its five-year service quality improvement plan pursuant to § 54.202(a). The information shall be submitted at the wire center level or census block as appropriate.	<ul> <li><ul> <li><ul> <li><ul></ul></li></ul></li></ul></li></ul>	

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hai Linde Reporting  Bectwon forms  Study Area Code	Study Area Name	Program Year	Contact Name - Person USAC should contact regarding this data		ΙI	Tribal Land(s) on which ETC Serves	· Tribal Government Engagement Obligation	If your company serves Tribal lands, please select (Yes,No, NA) for each these boxes to confirm the status described on the attached PDF, on line 920, demonstrates coordination with the Tribal government pursuant to § 54.313(a)(9) includes:		<ul> <li>Needs assessment and deployment planning with a focus on Tribal community anchor institutions;</li> </ul>	Feasibility and sustainability planning;	Marketing services in a culturally sensitive manner;	· Compliance with Rights of way processes	<ul> <li>Compliance with Land Use permitting requirements</li> </ul>	Compliance with Facilities Siting rules	<ul> <li>Compliance with Environmental Review processes</li> </ul>	. Compliance with Cultural Preservation review processes	Compliance with Tribal Business and Licensing requirements.
Date 0	<b>4015</b>	<020>	<030 √030	<035>	<039>	<910>	<920>			<921>	<922>	<923>	<924>	<925>	<926>	<927>	<928>	<929>

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<039>	<039> Contact Email Address - Email Address of person identified in data line <030> dpatrickewestex.coop	patrickewestex.coop
<1120>	Please check this box to confirm no terrestrial backhaul <a>&lt;1120&gt;</a> options exist within the supported area pursuant to § 54.313(G)	
<1130>	Please check this box to confirm the reporting carrier offers broadband service of at least 1 Mbps downstream and 256 kbps upstream within the supported area pursuant to § 54.313(G)	

10/14/2013

						Connect America Phase I support, frozen High Cost support. High Cost support to offset access charge reductions, and Connect America Phase il 313(b),(c),(d),(e) the information reported on this form and in the documents attached below is accurate.						Ι									and the same of th				Name of Attached Document Listing Required Information	
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<039>	Contact Email Addre	ss - Email Address of person identified in data line <030> dpatrick@westex.coop

### TO BE COMPLETED BY THE REPORTING CARRIER, IF THE REPORTING CARRIER IS FILING ANNUAL REPORTING ON ITS OWN BEHALF:

certify that I am an officer of the reporting carrier; my responsibilities include ensuring the accuracy of the annual reporting requirements for universal service support eciplents; and, to the best of my knowledge, the information reported on this form and in any attachments is accurate.						
lame of Reporting Carrier:						
ignature of Authorized Officer:	Date					
rinted name of Authorized Officer:	Access Applications					
itle or position of Authorized Officer:						
elephone number of Authorized Officer:						
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<020>	Program Year	2014
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<035>	Contact Telephone Nu	mber - Number of person identified in data line <030> (432) 756-3826
<039>	Contact Email Address	- Email Address of person identified in data line <030> dpatrick@westex.coop

#### TO BE COMPLETED BY THE REPORTING CARRIER, IF AN AGENT IS FILING ANNUAL REPORTS ON THE CARRIER'S BEHALF:

i certify that (Name of Agent) <u>Dar La Parker</u> is authorized to submit the information reported on behalf of the reporting carrier, also certify that I am an officer of the reporting carrier; my responsibilities include ensuring the accuracy of the annual data reporting requirements provided to the authorized agent; and, to the best of my knowledge, the reports and data provided to the authorized agent is accurate.						
Name of Authorized Agent: Darla Parker						
Name of Reporting Carrier: WES-TEX TEL CO-OP						
Signature of Authorized Officer: CERTIFIED ONLINE	Date: 10/14/2013					
Printed name of Authorized Officer: J Wilson						
Title or position of Authorized Officer: Executive Vice Presid	ent					
Telephone number of Authorized Officer: 432~756~3393						
Study Area Code of Reporting Carrier: 442168	Filing Due Date for this form: 10/15/2013					

#### TO BE COMPLETED BY THE AUTHORIZED AGENT:

Certification of Agent Authorized to File Annual Reports for CAF or LI I	Recipients on Behalf of Reporting Carrier
is agent for the reporting carrier, certify that I am authorized to submit the annual reports for universal service e data reported herein based on data provided by the reporting carrier; and, to the best of my knowledge, the h	
me of Reporting Carrier: WES-TEX TEL CO-OP	
me of Authorized Agent or Employee of Agent: John Staurulakis	
nature of Authorized Agent or Employee of Agent: CERTIFIED ONLINE	Date: 10/14/2013
inted name of Authorized Agent or Employee of Agent: Darla Parker	
le or position of Authorized Agent or Employee of Agent Manager	
lephone number of Authorized Agent or Employee of Agent; 512/338-0473	
udy Area Code of Reporting Carrier: 442168 Filing Due Date for this form:	10/15/2013

Attachments

#### Wes-Tex Telephone Cooperative

# Response to Line 510 - Service Quality Standards and Consumer Protection Rules Compliance

In establishing this certification in its 2005 ETC Order,<sup>1</sup> the FCC found that an ETC must make "a specific commitment to objective measures to protect consumers." <sup>2</sup> The FCC found that for wireless ETCs, compliance with CTIA's Consumer Code for Wireless Service would satisfy this requirement" and that the sufficiency of other commitments would be considered on a case-by-case basis. <sup>3</sup> In this context, the FCC stated, "to the extent a wireline or wireless ETC applicant is subject to consumer protection obligations under state law, compliance with such laws may meet our requirement."

Wes-Tex Telephone Cooperative ("Company") hereby certifies that it complies with applicable service quality standards and consumer protection rules under the Texas Administrative Code, Title 16, Part II, as established by the Public Utility Commission of Texas. These obligations include, but are not limited to, the following: (1) filing a Local Exchange Tariff which discloses rates, terms and conditions of service to customers pursuant to Subchapter J requirements in Sections 26.201-26.230; (2) adherence to state consumer protection requirements governing telephone providers as identified in

<sup>&</sup>lt;sup>1</sup> Federal-State Joint Board on Universal Service, CC Docket No. 96-45, Report and Order, FCC 05-46 (rel. Mar. 17, 2005) ("2005 ETC Order").

<sup>&</sup>lt;sup>2</sup> *Id.* at para. 28.

<sup>&</sup>lt;sup>3</sup> Id. The FCC noted that under the CTIA Consumer Code, wireless carriers agree to: "(1) disclose rates and terms of service to customers; (2) make available maps showing where service is generally available; (3) provide contract terms to customers and confirm changes in service; (4) allow a trial period for new service; (5) provide specific disclosures in advertising; (6) separately identify carrier charges from taxes on billing statements; (7) provide customers the right to terminate service for changes to contract terms; (8) provide ready access to customer service; (9) promptly respond to consumer inquiries and complaints received from government agencies; and (10) abide by policies for protection of consumer privacy." Id. at n. 71.

Subchapter B, in Sections 26.21-26.37; and (3) service quality standards requirements as identified in Subchapter C, Sections 26.51 -26.57.

#### **Wes-Tex Telephone Cooperative**

#### Response to Line 610 - Ability to Function in Emergency Situations

Wes-Tex Telephone Cooperative ("Company") hereby certifies that it is able to function in emergency situations as set forth in the Code of Federal Regulations, Title 47, Part 54, Subpart C, §54.202(a)(2)<sup>1</sup> and the Texas Administrative Code. The Company's network is designed to remain functional in emergency situations without an external power source, is able to reroute traffic around damaged facilities, and is capable of managing traffic spikes resulting from emergency situations as required by Section 54.202(a)(2). The Company can change call routing translations as needed to reroute traffic around damaged facilities. Changing call routing translations also allows the Company to manage traffic spikes throughout its network, as emergency situations require.

Specifically, the Company is able to function under emergency operations in accordance with Public Utility Commission of Texas Substantive Rules §26.51

Reliability of Operations of Telecommunications Providers and §26.52 Emergency

Operations which include obligations for continuity of service and emergency operations planning and service provision capability for dominant carriers. Any central office not equipped with permanently installed standby generators contains as a minimum four hours of battery reserve without voltage falling below the level required for proper operation of all equipment. In addition, all central offices without installed emergency

Section 54.202(a)(2) requires ETCs that are designated by the Commission to "demonstrate its ability to remain functional in emergency situations, including a demonstration that it has a reasonable amount of back-up power to ensure functionality without an external power source, is able to reroute traffic around damaged facilities, and is capable of managing traffic spikes resulting from emergency situations."

#### REDACTED - FOR PUBLIC INSPECTION

power facilities have a mobile power unit available which can be delivered and connected on short notice.

# Wes-Tex Telephone Cooperative, Inc.

#### Rates, Terms and Conditions for Lifeline Service

(Response to Form 481, Line 1210)

Local exchange service rates and charges as specified below are for basic local exchange service, including Tone Dialing Service, and facilities only. The rates for other ancillary services not specifically shown below are presented in Wes-Tex Telephone Cooperative's tariff(s) on file with the Public Utility Commission of Texas. Unless otherwise specified, the rates and charges quoted below are for a period of one month, payable in advance and provide unlimited flat rate calling within the local exchange calling scope.

Residential Local Exchange Access Line Rates<sup>(1)(2)</sup>:

			Res. EAS	
Exchange Name	R-1 Rate		Charge	
Ackerly	\$	14.00	\$	-
Coahoma	\$	10.72	\$	-
Garden City	\$	11.84	\$	3.50
Lenorah	\$	14.00	\$	-
Lomax	\$	12.15	\$	3.50
Luther	\$	14.00	\$	-
Sand Springs	\$	10.72	\$	-
Saint Lawrence	\$	11.84	\$	3.50
Vincent	\$	11.84	\$	3.50
West Stanton	\$	12.15	\$	3.50

<sup>(1)</sup> Above listed fees do not include mandatory taxes, fees and surcharges, including, but not limited to Texas Universal Service Fund charges, 9-1-1 fees, and municipal franchise fees.

<sup>&</sup>lt;sup>(2)</sup>Qualified Lifeline customers are eligible for Lifeline credits or discounts as outlined in the attached Lifeline tariff.

SECTION 4

STANTON, TEXAS

5th Revised Page 10

Replacing 4th Revised Page 10

#### MEMBER SERVICES TARIFF

#### LOCAL EXCHANGE SERVICE

#### III. LIFELINE PROGRAM

The Lifeline Program is a retail local service offering designed to make telephone service available at reduced rates to qualifying low-income customers.

#### A. General

- 1. A qualifying low-income customer subscribing to the Lifeline Program shall receive federal and state reductions to their monthly tariffed residential local exchange access line rate. When a Lifeline customer subscribes to a package of services, those same reductions will apply to that portion of the package rate that is for basic network service.
- 2. Nothing in this section shall prohibit a customer who is otherwise eligible for the Lifeline Program from obtaining and using telecommunications equipment and services designed to aid such customer in utilizing qualifying telecommunications services.
- 3. Lifeline Program reductions do not apply to surcharges, taxes, long distance service, 976 and other information related telecommunications services, and optional services such as custom calling features. Customers may obtain these services, where available, at their discretion.
- 4. The Lifeline Program rate reductions do not apply to service connection charges.

By: J. R. Wilson Title: Manager

Effective: April 2, 2012

SECTION 4

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STANTON, TEXAS

5th Revised Page 11

Replacing 4th Revised Page 11

#### MEMBER SERVICES TARIFF

#### LOCAL EXCHANGE SERVICE

#### III. LIFELINE PROGRAM (Continued)

#### A. General (Continued)

- 5. The Cooperative may not disconnect the service of a Lifeline Program customer for the non-payment of toll charges. However, the Cooperative reserves the right to implement toll blocking, at no charge, if the customer incurs a significant balance of unpaid toll bills. The Cooperative will inform the customer, by direct mail, of this change to their service due to the customer's non-payment of toll charges. Upon the customer's payment of all outstanding toll charges, the Cooperative shall remove mandatory toll blocking at no charge.
- 6. Upon subscribing to the Lifeline Program, a customer will be offered a subscription, at no charge, to toll blocking service (in exchanges where technically available) which denies the customer access to the long distance telecommunications network; however, the customer is under no obligation to accept the subscription to toll blocking upon initial subscription to the Lifeline Program.
- 7. The Lifeline Program rate reductions will not be available on a retroactive basis unless approved by the Public Utility Commission of Texas or the Low-Income Discount Administrator (LIDA).

# B. Designated Lifeline Program Services

The Cooperative shall offer voice telephony services that provide the following functionalities as designated Lifeline Program services:

- Voice grade access to the public switched network or its functional equivalent
- 2. Minutes of use for local service provided at no additional charge to the customer
- 3. Access to emergency services
- 4. Toll blocking service

By: J. R. Wilson Effective: April 2, 2012
Title: Manager

SECTION 4

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STANTON, TEXAS

4th Revised Page 12

Replacing 3rd Revised Page 12

#### MEMBER SERVICES TARIFF

#### LOCAL EXCHANGE SERVICE

#### III. LIFELINE PROGRAM (Continued)

#### C. Eligibility Requirement

1. Qualifying Low-Income (Eligible) Customer Criteria

An eligible customer shall be defined as an individual whose annual household income is at or below 150% of the federal poverty guidelines or in whose household resides a person who receives or has a child who receives benefits from at least one of the following programs:

- a. Medicaid
- b. Food Stamps (Supplemental Nutrition Assistance Program)

c. Supplemental Security Income (SSI)

- d. Federal Public Housing Assistance (FPHA)
- e. Low-Income Heat and Energy Assistance Program (LIHEAP)
- f. Health benefits coverage under the state Children's Health Insurance Program (CHIP)
- g. National School Lunch Program's Free Lunch Program
- h. Temporary Assistance for Needy Families

The Lifeline Program rate reductions will be provided to each eligible customer. The Low-Income Discount Administrator (LIDA) will provide a list of eligible customers to the Cooperative each month.

#### 2. Obligations of the Customer

a. Customers whose annual household income is at or below 150% of the federal poverty guidelines or who participate in FPHA or LIHEAP programs may self-enroll for Lifeline Program benefits by completing an application form and returning it to LIDA. LIDA will send a blank application upon customer request. LIDA can be reached at 1-866-4LITEUP. Current customers receiving benefits under Medicaid, Food Stamps, SSI or CHIP will be subject to the Lifeline Program automatic enrollment procedures as provided by the LIDA unless they provide a written request to the LIDA to be excluded from the Lifeline Program.

b. A customer who is eligible for the Lifeline Program but does not have telephone service at the time the LIDA provides its eligibility list to the Cooperative, shall be responsible for initiating a request for the Lifeline Program from the Cooperative.

By: J. R. Wilson

Title: Manager

Effective: June 1, 2012

SECTION 4

STANTON, TEXAS

3rd Revised Page 13

Replacing 2nd Revised Page 13

#### MEMBER SERVICES TARIFF

#### LOCAL EXCHANGE SERVICE

#### III. LIFELINE PROGRAM (Continued)

- C. Eligibility Requirement (Continued)
  - Obligations of the Cooperative
- a. LIDA will provide a list of eligible customers to the Cooperative on a monthly basis. Upon receipt of the list, the Cooperative shall begin reduced billing for those customers in accordance with the terms of the LIDA's procedures included in the LIDA Guide.
  - 4. Discontinuance of Service
- a. Discontinuance of Lifeline Discounts for customers automatically enrolled. The eligibility period for automatically enrolled customers is the length of their enrollment in Texas Health and Human Services Commission (THHSC) benefits plus a period of 60 days for renewal. Automatically enrolled customers will have an opportunity to renew their THHSC benefits or self-enrollment with LIDA upon the expiration of their automatic enrollment.
- b. Discontinuance of Lifeline Discounts for customers who have self-enrolled. Individuals not receiving benefits through THHSC programs, but who have met Lifeline income qualifications, are eligible to receive the Lifeline Discount for seven months, which includes a period of 60 days during which the customer may renew their eligibility with LIDA for an additional seven months.

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By: J. R. Wilson Title: Manager

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SECTION 4

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STANTON, TEXAS

1st Revised Page 13.1

Replacing Original Page 13.1

#### MEMBER SERVICES TARIFF

#### LOCAL EXCHANGE SERVICE

#### III. LIFELINE PROGRAM (Continued)

- C. Eligibility Requirement (Continued)
  - 4. Discontinuance of Service (Continued)

## D. Deposit and Credit Requirements

- 1. The Cooperative shall be prohibited from charging a service deposit in order to initiate the Lifeline Program if the eligible customer voluntarily elects to receive toll blocking.
- 2. The Cooperative may charge a service deposit if the eligible customer denies subscription to toll blocking upon subscribing to the Lifeline Program.
- 3. In instances where the Cooperative may require a service deposit, the same credit verification procedures and deposit regulations used for all applicants who apply for service with the Cooperative are also applicable to eligible customers for the Lifeline Program.



By: J. R. Wilson Title: Manager Т

SECTION 4

STANTON, TEXAS

2nd Revised Page 14

Replacing 1st Revised Page 14

#### MEMBER SERVICES TARIFF

#### LOCAL EXCHANGE SERVICE

# III. LIFELINE PROGRAM (Continued)

#### E. Service Connection Charges

- 1. Service connection charges do not apply to eligible customers with existing, qualifying service converting to the Lifeline Program.
  - 2. Service connection charges do apply when:
- a. Existing eligible customers request additional non-qualifying services at the time Lifeline program reduced billing is initiated.
- b. New customers (those without existing local exchange access service) eligible for the Lifeline Program establish qualifying service.
- c. Customers make subsequent moves or changes after initial connection to the Lifeline Program.

By: J. R. Wilson Title: Manager

Effective: April 2, 2012

SECTION 4

STANTON, TEXAS

2nd Revised Page 15 Replacing 1st Revised Page 15

#### MEMBER SERVICES TARIFF

#### LOCAL EXCHANGE SERVICE

#### III. LIFELINE PROGRAM (Continued)

#### F. Lifeline Program Rate Reduction

#### 1. Implementation

The Cooperative shall provide reduced billing to all Lifeline Program eligible customers within its service area in accordance with the Commission's Substantive rules

In instances where a customer inquires about participation in the Lifeline Program, the Cooperative shall provide contact information for LIDA.

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By: J. R. Wilson

Title: Manager

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SECTION 4

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5th Revised Page 16

Replacing 4th Revised Page 16

#### MEMBER SERVICES TARIFF

#### LOCAL EXCHANGE SERVICE

# III. LIFELINE PROGRAM (Continued)

# F. Lifeline Program Rate Reduction (Continued)

#### 2. Amounts

The Cooperative shall apply Lifeline Program rate reductions, per eligible customer, as described below.

Monthly Rate Reduction

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Federal Reduction applied to
Federal Subscriber Line
Charge and Residential
Local Exchange Access Line
Charge
Section

b. Maximum State Reduction to
Residential Local Exchange
Access Line Rate \$3.50

By: J. R. Wilson Title: Manager

Effective: April 2, 2012

# **REDACTED – FOR PUBLIC INSPECTION**

# WES-TEX TELEPHONE COOPERATIVE, INC. (SAC 442168) ATTACHMENT - LINE 3017 ATTACHMENT REDACTED IN ENTIRETY